

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.09/538,700
Confirmation No.8704
5 Filing DateMarch 30, 2002
InventorshipStephen J. Sicola
Group Art Unit.....2113
ExaminerDuncan, Marc M.
10 Attorney's Docket No.200301688-1
Title: Method for Transaction Log Failover Merging During
Asynchronous Operations in a Data Storage Network

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AUG 20 2004

**REQUEST FOR RECONSIDERATION OF PETITION FOR
WITHDRAWAL OF ABANDONMENT**

15 Applicant hereby requests reconsideration of the Petition for Technology Center 2100
Withdrawal of Abandonment submitted April 2, 2004. The petition was
dismissed on April 22, 2004, on the basis that the Petition failed to
include a statement required under 37 CFR 1.8(b)(3). In support of this
Request for Reconsideration, Applicant submits herewith:

- 20 1. A complete copy of the Petition for Withdrawal of Abandonment
filed April 2, 2004.
2. A statement attesting by personal knowledge that the RCE of
September 2, 2003, was timely transmitted on September 2,
25 2003.

Respectfully Submitted,
Jed W. Caven
Caven & Aghevli
Attorney for Applicants

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Dated: 8/20/04

Jed W. Caven
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STATEMENT UNDER 37 CFR 1.8

The undersigned attorney hereby states on a personal knowledge
15 basis that the Request for Continued Examination (RCE) attached
hereto was timely transmitted to the United States Patent and
Trademark Office on September 2, 2003.

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AUG 20 2004

Technology Center 2100

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Respectfully Submitted,
William J. Kubida
Hogan & Hartson
Attorney for Applicants

Dated: 19 AUGUST 2004



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William J. Kubida
Reg. No. 29,664
(719) 448-5909

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FAX COVER SHEET

TO	Examiner Vincent Trans
COMPANY	U.S. Patent Office
FAX NUMBER	17033058266
FROM	Caven & Aghevli LLC
DATE	2004-08-20 14:12:21 GMT
RE	USSN 09/538,700 Request for Reconsideration

COVER MESSAGE

Per our telephone conversation, following please find a Request for Reconsideration of the Petition for Withdrawal of Abandonment accompanied by a Statement under 37 CFR 1.8 signed by William Kubida.

Please call me at 720.841.9544 with any questions.

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